



FOOD ASSISTANCE ACTION COMMITTEE

A Federal, State and County Partnership for policy interpretation and review, food stamp outreach, Quality Control and corrective action activities.

MINUTES

DATE: TUESDAY February 24, 2009

TIME: 9:30 a.m. to 3:00 p.m.

**LOCATION: CDSS FDRAB
MAMMOTH Room
2450 Del Paso Road
Sacramento. CA**

1. Welcome/Housekeeping

2. Review of January 13, 2009 Minutes –

- * Item 2 of the minutes was corrected to change the review of minutes from November to October 2008.
- * Item 3 under Policy Development on page 2 was corrected from PIX to PIC
- * Kern County indicated the minutes should read QC was down to four staff and there was no change to QA.
- * Page 3 QC Policy Updates should read....
\$100 or less.
- * Page 4 SEP No counties have approved proposals.
- * FNS, CDSS, and CWDA held a best practices meeting in October.....

3. RADEP Report NONE

4. FS Program Policy Updates

a) A draft ACL is pending on the Stimulus Package. There will be a 13.6% temporary increase in benefits. QC Reviews tolerance level will increase to \$50 effective April 1st, 2009. (Pat Cruise indicated FNS will be issuing clarifications in an Administrative Notice.) Counties

are to disregard the additional benefits when determining an over-issuance. (Pat Cruise again interjected that FNS will be providing additional interpretation and guidance.)

b) FS for Foster Care (FC) Children - Policy has submitted draft (ACL) for approval on extending certification periods and benefits for children who are "aging out" of FC to independence. Current EBT processes will apply. Reporting requirements will be covered in the second phase.

c) Face to Face Interview Waiver - The ACL for selected case waivers of the face to face has been approved and will be released soon. CDSS is now looking to pursue waiver of the face to face for ALL applications and RE's, but there is some resistance from counties due to concerns that it would actually generate a higher workload because of the need for signatures on application forms and other documentation needs.

Virginia Lugo commented that the 8/29/09 Q and A ACL for Food Stamps indicates that electronic signatures are OK as well as telephone applications. State says must defer to county counsel for approval in your county as per California Secretary of State response.

References Modernization Bill (AB 1057) from Assemblyman Beall.

Pat Cruise stated the partnership web site from 2/13/09 provides guidance from FNS on the Changes in Face to Face Waiver requirements from the 2008 Farm Bill which also allows for telephone signatures. Illinois has been approved and Pennsylvania is pursuing.

Richard Trujillo indicated that RADEP had just been programmed to track information that describes reasons for waiver of the face to face, etc.

d) AB 433 on Categorical Eligibility - This bill target NA families for rule changes that would allow for CE determinations. Individuals on NAFS are not being considered due to costs. Funding is limited to \$3 million for administrative costs in the closed allocation from FNS Education funds. Expanding CE to individuals would potentially increase costs by 400%.

An upcoming ACL should be issued in May effective in July with a statewide mandate for implementation by January, 2010.

Fresno asked how we were going to automate the CE when only certain households would qualify. Riverside said they believed administrative costs were high already due to the number of applications we are denying because we do not have CE rules in NAFS. State only responded that estimates determined the limited funding could only support CE for families.

e) The QC \$50 tolerance level will be effective for only the April through September 2009 review months. Counties were concerned that the information received so far does not identify the sample months for the change in the tolerance level.

There is no ending date for the QC Hold Harmless period at this time.

5. CDSS Field Operations Bureau (FOB) Updates

- **Error Rates Actives/Negatives**

ACTIVE SAMPLE: 4.75 % through 9/08 Should be safe for the FFY as regression will probably not affect the rate much and the NA is 5.92%

NEGATIVES: 9.31% but the regression could add another 4.79%.

COMPLETION RATE: is only 84.1% and must be around 98% to avoid a penalty.

Kern County suggested that the national average be added to the CDSS reports so we can look in one place for the information.

- * **Federal Differences/Arbitrations**

Deductions vs. Certification Period – APHSA Document dated 2/17/09 to USDA/FNS and QC Policy Memo 09-01, Other states are concerned about the new federal interpretation of when it is appropriate to use deductions against the budget when change was not reported. QC reviewers have been using the actual cost in Comparison I, regardless of whether or not the change (usually housing) was not reported.

FNS states that this is NOT a change in their policy ...only a clarification of existing policy. CDSS, other states and counties disagree conceptually because QC is always supposed to determine the actual case situation, regardless of whether or not the client reported...(hence client errors). FNS indicated that states were getting verifications to get out of errors. Counties indicated that actual situation needs to be considered in the QC determination regardless of whether or not it was appropriate in Comp[I determination for the eligibility test process.

Regardless of the perception, counties are very concerned that the FNS 310 does not clearly address this issue. FNS indicated that they are working on a manual update.

- **QC Policy Updates/Releases**

Draft of QC Transmittal 09-02 on the QC File Structure. Riverside mentioned that We sought federal approval of our interpretation of their filing order and were told our guide was perfect. Riverside is to send copies of what we did to each of the QC counties. BOTH the Riverside guide and the draft QC Transmittal will be discussed in the March All-County meeting.

Draft QC Policy on Face to Face - Counties have found that it is too cumbersome to eliminate the face to face circumstances related to the waiver because scheduling for the remainder of the cases required too much coordination. Counties want to ensure that it is not a mandatory process and can be used in a manner that will not create an additional workload. LA found that only 7 cases all year could have used this process.

For RADEP, counties only need to ensure that just the telephone interviews record the additional items answers as per the recent RADEP programming changes.

* **QC Training Requests**

Riverside and Orange Counties will receive training the week of March 16th. San Bernardino may participate. Fresno and Sacramento are scheduled for the week of April 20th.

• **QC Changes**

CFAP Issues: Counties need to show the correct federal allotment amount in RADEP I in item 010F 004.. If the case is correct, show ONLY the federal amount. If incorrect, show only the federal dollars that are correct and incorrect in the item for error amount.

NOTE: CFAP only cases will be dropped from the State Expanded sample because only cases that are subject to federal review (with their supporting rules) should be part of both samples. We are to DROP – Not Subject to Review. RADEP is being re-programmed.

For cases with mixed CFAP household, we must review in both the federal and state samples, but only the amount that is federal dollars will be reviewed.

The CA Legislature did not discontinue CFAP as proposed.

* **Counties concerns**

Federal Negative Training – Counties asked to have copies of what FNS negative training that was provided to FOB staff. Riverside indicated it is important to know what was trained so we can make sure that we don't make the mistakes in the first place. CDSS FOB agreed that they will share the information from the training. Orange County asked about the expanded reviews on negatives. FNS said must limit their reviews to only the items that were not clear in the case.

FOB restated that they want all counties to do QA on their negative actions. There ensued a long discussion on these types of reviews and the need for documentation

and narration of the negative actions taken. If information is missing, would the QC reviewer count the case as incorrect? Did state staff know the county technology well enough to know how to glean the information that is "missing" from other parts of the electronic case file.

FOB stated that the actions are right 98% of the time, but documentation is lacking or not locatable in the case. This is becoming a bigger issue with the higher number of applications being taken.

FNS also reviews to whether or not corrected benefits were issued after the review month. If benefits were not received timely, it will be considered a negative action case and therefore a reviewable negative action sample case.

FNS also said that imaging issues has become a problem with audits when they cannot find the needed information. Richard asked Marie Thomas of his staff to put some notes together to share the FNS training with the counties.

All the above is more reason why counties need to have information on the Negative Action Training.

7. FS Field Operations Bureau Management Evaluation Updates

2009 Schedule of Reviews

ME has completed 9 counties by the end of February. FNS is overseeing the reviews. There are 3 schedules for March. 21 counties are left to complete in the remainder of the year. Negative Actions are the key area for review this year and is to be the main Corrective Action Plan.

SEP Funds

Level of SEP funds has been reduced considerably. Last year's conference went over budget by \$10,000, but a number of county projects did not occur so may be over only \$3,000 for the year. Numbers are still being reconciled.

Pat Cruise asked if there was interest in having a FS Conference. A number of counties would like to see this happen. Richard Trujillo talked about the history of the conferences and Solano reminded him that before the 5 years, they were all QC related. Richard said there is value to having policy present because of the stimulus package. Pat Cruise indicated that FNS would contribute regardless of the focus.

Richard indicated he would work with a committee but would not chair the committee this year. Fresno is volunteering their county for the conference location. Martha Jue indicated she would look for a venue in Fresno. Rose Gescat said she would bring up the conference at the upcoming all-county meeting on March 21, 2009.

8. USDA FNS Federal Updates

• Operations – Pat Cruise

a) STIMULUS Overview

- * ABAWDS will not be limited to 3 months of eligibility
- * FSET rules were not changed
- * Center of Budget and Policy Priorities provided input on Administrative costs and the California Food Policy Advocates wwCFPA.net have a county-by-county calculation for breakdown of dollars each county may receive. 100% of the dollars do NOT need to be matched by county/state funds.
- * Approximately \$21 million will be available to California from STIMULUS

b) Negatives FNS National office sent a letter (2/9/09) to John Wagner about California's high negative error rate. FEDS will be emphasizing these actions, and will be coming to meet with CDSS and certain counties. A FNS National Payment Accuracy Workgroup member will attend.

c) October Best Practices Meeting - Sacramento Counties were especially interest in call centers, change centers, and interactive voice response systems. FNS is working on getting more presentations for interested CWDA and counties for the April 15th meeting.

d) Disaster Training

CIV & ISAWS	April 29/30 in San Bernardino
Leader	May 18 or June 15
Cal WIN	July 16/17 in Pleasant Hill
	July 18 in San Diego

EBT will also be included. ISAWS counties will be covered by CIV presentation. *(subsequent to the meeting, Pat Cruise sent a message to the FAAC Yahoo group stating that the ISAWS counties would be trained in 2010, after they migrate to C-IV.)*

e) Mid West Conference Milwaukee Wisconsin July 22/23 NAPIPM Sparks Nevada Aug. 23/26

Pat Cruise noted that the August FAAC meeting is scheduled for 8/25/09 which could impact some CA participation.

f) Trivia Item – Food Stamps first came to California in March of 1963 in Humboldt County *(subsequent to the meeting, Pat sent a list of all CA county SNAP/FS start dates to the FAAC Yahoo group.)*

Quality Control – Dawn

a) The STIMULUS rules will be effective for the April through September 2009 QC Review months. Hold Harmless will only be effective for errors where the variance adjusted was due to application of the new rules. Example: The new UIB amount would be part of the stimulus rules and would be hold harmless.

b) A Question and Answer memo on QC Transmittal 09-01 will be out next week. Will include hold harmless period.

c) Deductions not received at certification. (2/25/08 Letter on R and R's)
If Saws 1 is used...does apply. If SAWS A1 is used...does NOT apply.

Fresno shared that they were the county that brought forward the request to revise the R and R forms to reduce QC errors. They were finding that during the QC reviews, they were learning about numerous errors on the cases caused by lack of reporting/documenting these expenses. Inclusion of the new wording would assist in eliminating errors in that situation.

d) Dawn is encouraging all counties to get the Negative Action training because of its overall impact to California. She believes the error rate would go down if counties understood the impact of these actions. Regression is a large factor in these results as well. Sacramento asked how to compute the regression on these cases. FOB said to go to the CFR Section 275.23 (e) (6) to get the formula.

e) Question: When will other states begin re-reviewing our cases?

LA asked about the QC case retention period. (QC Transmittal 05-03)

FOB agreed to send all results from FNS re-reviews to each county.

f) Counties asked when the FNS 310 Handbook would be updated, particularly Chapter 13 regarding Negatives.

9. IMAGING Project

There has been no meeting since the December Conference call. All but 2 or 3 counties have the needed equipment. FOB is still working on instructions for counties. Instructions should be done by March. We will be tracking all sample cases by review number. FOB will control for sending to FNS.

10. OTHER Requested TOPICS

QUESTION: When is it appropriate to use the 2214 form?

As part of the QC review process, it is required that the timeliness of application processing timeliness be reviewed. The case NOA generated will automatically provide the date when the approval action occurred. In addition, the EBT system provides dates when the client accessed their benefits. IF the client did not access their benefits, the reviewer can use the 2214 form signed by the client to establish a date of eligibility. The use of this form is NOT required on all cases, but only those where there is a question of when the benefits were approved.

INCREASE IN PROGRAM ACCESS: Between November of 2007 and October of 2008, there was a 17% increase in the number of SNAP households. Idaho, Nevada, and Arizona are showing increases of 22-23%.

Solano County asked about the \$1 Energy Assistance Payments that Washington state was providing to allow its SNAP/FS recipients to get more benefit. Pat Cruise mentioned that she was aware of it and some East Coast states were doing the same. (*Subsequent to the meeting, she sent the WA newspaper article to the FAAC Yahooogroup*).

11. County Reports

- a) San Bernardino County is completing significantly larger number of cases than needed. Some counties are also concerned about their completion rates and want to have a report from FDRAB on how this affects them from the error rate perspective.
- b) Alameda (and others) are concerned about secondary sample selection cases where a case is selected when no benefits are issued until the future month (ICT). The case would show up within the primary sample on main payroll in the future month in the new county and on the other county's primary universe for the current month. We believe the regulations governing case sampling would apply and the case should be dropped from the secondary sample as it has already been subject to the primary universe in the other county. FNS statistician is working on this with FNS headquarters. It is the counties' opinion that the case should not have been part of the secondary sample as the case was already subject to selection in the primary sample universe. To the counties, this appears to be a FDRAB sampling issue.
- c) FAAC is asking for participation on the FS FRAT committee to make sure QC concerns are addressed.

12. ADJOURN

Next Meeting: SOUTH on April 28th
3950 Reynolds Rd.
Riverside 92503.

Submitted by : Daphne Criswell Riverside County